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*Governor's Small Business Regulatory Review Board*

November 25, 2008

Secretary Karen Timberlake  
Department of Health Services  
1 West Wilson Street  
Madison, WI 53703

Re: DHS 101-108 Medicaid Reimbursement Administrative Rule

Dear Secretary Timberlake:

The statutory authority contained in Wis. Stats., 227.30 provides small businesses with the opportunity to provide testimony to the Small Business Regulatory Review Board (SBRRB) regarding administrative rules that place economic hardships on small business. As a result of the testimony received from small businesses providing specialized medical vehicle (SMV) transportation at the SBRRB's August 27<sup>th</sup> meeting, the SBRRB requested departmental representation at the SBRRB's next meeting. In response to this request, James Vavra and Alan White of the department provided testimony at the November 18<sup>th</sup> SBRRB meeting. This testimony provided the SBRRB with background regarding the department's administration of the rules that impact SMV transporters.

As the majority of SMV transporters meet the definition of "small business", the SBRRB requested that the department work with the industry to address the economic burdens of administrative rules that impede business operations and restrict business growth. The SBRRB's letter of September 8<sup>th</sup> to the department outlined the major concerns of the specialized medical vehicle transporters. At its November 18<sup>th</sup> meeting the SBRRB was encouraged to learn of Jason Helgerson's action to continue the dialogue with the industry by agreeing to meet with SMV transporters on November 19<sup>th</sup>.

In light of the November 18<sup>th</sup> testimony presented by SMV transporters that referenced problematic and unnecessary paperwork reporting and recordkeeping requirements, the SBRRB encourages the department to address and consider less burdensome alternatives. It is the SBRRB's recommendation that the department provide regulatory relief to the industry that will address the major concerns that include:

- unloadable mileage requirements
- loaded mileage requirements
- multi-carry reimbursement
- trip verification documentation requirements

The SBRRB looks forward to receipt of a report regarding the outcome of the DHS November 19<sup>th</sup> meeting. The report should include the department's methodology in alleviating the economic burdens that were applied in addressing the major concerns of the SMV transporters. The SBRRB appreciates the department's efforts in continuing to collaborate with these small businesses.

Sincerely,



Richard E. PeterShack, Chairman  
Governor's Small Business Regulatory Review Board

Cc: Rea Holmes, DHS Executive Assistant  
Jason Helgerson, Director, Division of Health Care Access and Accountability  
Pat Cooper, DHS Small Business Regulatory Review Board  
Rosie Greer, DHS Small Business Regulatory Review Coordinator  
Ron Sklansky, Joint Legislative Council